

## REMARKS

This is in response to the Official Action of December 29, 2008. Applicants hereby amend the claims and traverse the outstanding rejections. Any cancellation of claims is without prejudice or disclaimer.

Various claims are amended to more particularly point out and distinctly claim the subject matter applicants perceive to be their invention. Support for the claim amendments is found throughout the specification. No new matter is added.

The objection to claims as being in improper dependent format is overcome by the instant amendments. All multiple dependent claims have been modified to eliminate multiple dependency.

### Prior Art Rejections

#### *Itzhak - Novelty*

Claims stand rejected under 35 USC § 102. The Official Action asserts that certain claims are anticipated by Itzhak (USPN 6,733,654). Applicants traverse the rejection, and request reconsideration, further examination, and withdrawal of the rejection.

The rejection fails to support anticipation of the claims as amended. Anticipation requires a showing that all elements of the claim are found in the asserted reference. The Itzhak reference fails to teach at least the generation of a floc binding or absorbing impurities, and the elements of steps (ii) and (iii) of amended claim 1.

The invention of amended claim 1 recites the formation of a floc. The floc binds or absorbs impurities present in the wastewater. The floc is removed from the wastewater after processing it through a coagulation or settling tank. During this

stage, froth and oil is likewise produced, and it is removed from the top of the coagulation or settling tank. Those steps are not found in the Itzhak reference.

Thus, there is no anticipation.

Step (iii) of amended claim 1 also has relevance in that the present invention is expressly directed to a wastewater purification method employed in a vehicle wash facility. Itzhak is directed to the operation of a cooling tower. Thus, there is no anticipation of the claim as amended.

In the Office Action, the Examiner asserts that the disclosure at column 2, lines 31-38 of Itzhak reads on step (iii) in applicants' original claim 1. This would refer to remixing of the treated side stream with the main stream. However, step (iii) in amended claim 1 refers to reusing purified water for cleaning vehicles in a vehicle wash facility. Thus, there is no disclosure of step (iii) in Itzhak.

As there is no anticipation of claim 1, there can be no anticipation of claims dependent on claim 1, i.e., claims 2, 5, 7, 10, 15-17, 22 & 23. Accordingly, reconsideration and withdrawal of all such rejections is respectfully requested.

Waka - Novelty

Claims 30-31 and 38-40 stand rejected as anticipated by Waka. Applicants hereby cancel those claims without prejudice or disclaimer. Accordingly, the rejection is moot.

Itzhak - Obviousness

Claims 3, 6, 8, 9, 11, 12, 18 and 19 stand rejected as allegedly obvious over Itzhak. As shown above, claim 1 is not anticipated by Itzhak, and thus none of its dependent claims is anticipated by Itzhak.

Likewise, the rejection asserting obviousness fails to make a prima facie case for obviousness. Thus, the rejection fails. Specifically, there is no showing that the claim elements shown to be missing from the asserted reference above in the anticipation rejection would have been obvious to one of ordinary skill in the art at the time the invention was made. Accordingly, the rejection fails. Reconsideration and withdrawal of the rejection is respectfully requested.

Itzhak & Matu - Obviousness

Claims 13 & 14 stand rejected as allegedly obvious over Itzhak in view of Matu. Applicants traverse the rejection. Matu fails to overcome the deficiencies of Itzhak. Notably, Matu is silent as to the creation, treatment or disposal of floc and/or froth and oil. Accordingly, Itzhak in combination with Matu likewise fails to teach or suggest the claimed invention.

Itzhak & Ferguson - Obviousness

Claims 24-26 stand rejected as allegedly obvious over Itzhak in view of Ferguson. Applicants traverse the rejection. Ferguson fails to overcome the deficiencies of Itzhak. Notably, Ferguson is silent as to the creation, treatment or disposal of floc and/or froth and oil, whether alone or in combination with an electrochemical reaction. As there is no teaching or suggestion of such a step in

Ferguson, one skilled in the art would not have had any reasoned basis for incorporating any storage tank or sump insofar as it is disclosed in Ferguson in the method of the instant claims. Accordingly, Itzhak in combination with Ferguson fails to teach or suggest the claimed invention. Applicants respectfully request reconsideration and withdrawal of the rejection.

*Itzhak & Waka - Obviousness*

Claims 20 and 29 stand rejected as allegedly obvious over Itzhak in view of Waka. Waka fails to cure the deficiencies of Itzhak. Neither Itzhak nor Waka describe the step of diverting a floc-containing wastewater into a coagulating or settling tank and removing froth and oil from the top of that tank through a conduit and likewise removing the floc from the tank. Accordingly, the combination of Itzhak and Waka fails to teach or suggest the claimed invention, and so the rejection fails to make a prima facie case of obviousness. Applicants request reconsideration and withdrawal of the rejection.

*Itzhak, Waka & Smith- Obviousness*

Claim 21 stands rejected over Itzhak in view of Waka and further in view of Smith. Applicants traverse the rejection, and urge its withdrawal. Claim 21 is dependent on claim 20, and ultimately on claim 1. As shown above, claim 20 is neither taught nor suggested by Itzhak, either alone or in combination with Waka. Smith fails to cure the deficiencies of Itzhak and Waka. Smith is alleged only to show the collection of rainwater for later use. As such, the reference fails to provide the teaching or suggestion required to overcome the deficiencies highlighted in the

immediately preceding paragraph. Accordingly, the rejection fails to make a prima facie case of obviousness, and should be withdrawn.

Waka - Obviousness

Claim 42 stands rejected over Waka as allegedly obvious. Applicants hereby cancel claim 42 without prejudice or disclaimer. Accordingly, the rejection is moot.

Conclusion

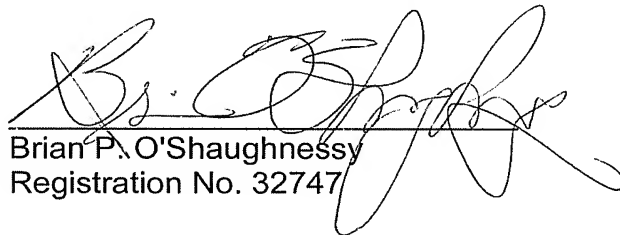
In view of the foregoing amendments and remarks, applicants respectfully request reconsideration and withdrawal of all outstanding rejections. Applicants submit that the claims are now in condition for allowance, and respectfully request formal notification to that effect. If, however, the Examiner perceives any impediments to such a notice of allowability, whether substantive or formal, the Examiner is encouraged to call Applicants' attorney at the number provided below. Such informal communication will expedite examination and disposition of this case.

Respectfully submitted,

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